

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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SIOUX STEEL COMPANY, a South  
Dakota corporation,

Civ. 15-4136

Plaintiff,

vs.

**AFFIDAVIT OF MICHAEL F. TOBIN  
IN SUPPORT OF SUMMARY  
JUDGMENT**

KC ENGINEERING, P.C., an Iowa  
corporation,

Defendant.


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STATE OF SOUTH DAKOTA     )  
  :SS  
COUNTY OF MINNEHAHA     )

I, Michael F. Tobin, being duly sworn on oath, depose, state, and declare as follows:

1. I am the attorney for KC Engineering, P.C., and have knowledge of the following.
2. Attached hereto as **Exhibit A** is a true and accurate copy of highlighted portions of the deposition of Chad Kramer.
3. Attached hereto as **Exhibit B** is a true and accurate copy of the highlighted portions of the deposition of Jason O'Mara.
4. Attached hereto as **Exhibit C** is a true and accurate copy of the highlighted portions of the deposition of Derek Matthies.
5. Attached hereto as **Exhibit D** is a true and accurate copy of the agreement between Sioux Steel and KC Engineering.
6. Attached hereto as **Exhibit E** is a true and accurate copy of the settlement agreement entered into by Sioux Steel.

Dated this 16<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Michael F. Tobin

Subscribed and sworn to before  
me this 16<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Notary Public - South Dakota  
My Commission Expires: 7/5/2021

